

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

Dennis A. Smith

v.

Civil No. 07-cv-119-SM

NH Department of Corrections, Commissioner  
NH State Prison, Warden  
Denise Heath

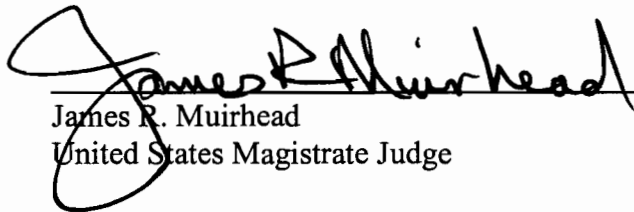
**ORDER**

Fed. R. App. P. 24(a)(3) permits a prisoner in a civil case who has previously been granted in forma pauperis status to proceed on appeal in forma pauperis without further authorization unless the district court certifies that the appeal is not taken in good faith. The requirements of 28 U.S.C. § 1915 must also be met. Plaintiff has filed a sufficient affidavit of no assets and a copy of his institutional account. He has not yet stated the “nature” of his appeal, i.e., what are his issues on his appeal as required by 28 U.S.C. § 1915(a)(1). That is a prerequisite to a determination by Chief Judge McAuliffe or me to determine whether the appeal is taken in good faith.

Plaintiff is ordered to file an affidavit (copy enclosed) setting forth his issues on appeal within twenty days. Until then a ruling on the motion (doc. no. 169) is deferred.

SO ORDERED.

August 6, 2009

  
James R. Muirhead  
United States Magistrate Judge